

LEE COUNTY

NORTH CAROLINA

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REGULAR MEETING
OF THE
LEE COUNTY BOARD OF COMMISSIONERS
106 HILLCREST DRIVE
SANFORD, NORTH CAROLINA 27330

OCTOBER 6, 2014

The regular meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 6 p.m. in the Commissioners' Room, First Floor, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date. Commissioners present were Amy M. Dalrymple, Dr. Ricky D. Frazier, Dr. Andre Knecht, Charles T. Parks, Robert T. Reives, Kirk D. Smith, and James K. Womack.

Chairman Parks called the meeting to order and the following business was transacted:

Commissioner Knecht delivered the invocation.

The pledge of allegiance was recited.

At this time Cooperative Extension Director Susan Condlin and Sheri Schurb, Associate Director of County Operations presented the Lee County Board of Commissioners and General Services Director Russell Spivey awards from the N.C. Cooperative Extension Service Foundation which recognizes local governments for their outstanding partnership with the N.C. Cooperative Extension Service. Lee County General Services was recognized for their diligent work at the McSwain Extension Education and Agriculture Center in keeping it a safe and professional place in which to conduct county business and provide a one-stop shop of services for the agriculture community. The Award Application submitted by Ms. Condlin is attached to these Minutes and by this reference made a part hereof. Mr. Spivey, Commissioners, and the County Manager were presented with plaques of appreciation.

The Board considered additions/changes to the Agenda. With no changes made, Commissioner Dalrymple moved to approve the Agenda as presented. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Knecht moved to approve the *Consent Agenda* which consisted of the following items:

- Minutes from the September 8, 2014 regular meeting,
- Minutes from the September 22, 2014 joint City-County Interlocal Sub-Committee meeting,
- Interlocal Agreement for Disaster Debris Services with TAG Grinding Services (copy attached), and
- Appointments of Darius Buie and Erick Matilde to the Juvenile Crime Prevention Council (JCPC).

Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
 Nay: None

The Chairman ruled the motion had been adopted unanimously.

Pursuant to N.C. General Statute §153A-52.1, Chairman Parks opened the floor for *Public Comments*. The following signed up to speak and were allowed 3 minutes for comments:

1. Richard Hayes, 2004 Vantage Point, Sanford (against repealing of Gun Ordinance)

At this time the Board conducted a public hearing for the *FY 2014-15 Rural Operating Assistance Grant* in the amount of \$147,991.00. Senior Services Director Debbie Davidson stated a public hearing is required for the Grant application. Ms. Davidson outlined the funding levels allocated to Lee County as follows:

Elderly and Disabled Transportation Assistance – \$60,228.00 – no match required.
Employment Funds - \$19,421.00 – no match required.
Rural General Public - \$68,342.00 – minimum match – 10% fare charged to COLTS passengers

Chairman Parks opened the public hearing that had been advertised for this date and time.

The following spoke in favor of the grant application:

1. Debbie Davidson, Senior Services Director (addressed specific needs for the referenced programs)

No one present spoke in opposition to the grant application.

Chairman Parks closed the public hearing. The Grant application will be voted on at the October 20th meeting of the Board.

The Board considered the second reading for a Resolution to Modify Ordinance Concerning Handguns on County Property. This matter was discussed during the August 4, 2014 meeting of the Board, and the first reading was approved by a 4 - 3 vote at the September 8, 2014 meeting. The Resolution is to modify portions of Chapter Two of the Lee County Code of Ordinances concerning concealed firearms. Section 2-31 of the Code of Ordinances prohibits concealed handguns on County property. Commissioner Smith has asked the Board to modify this code section to allow permitted concealed handguns on County property and in County buildings. A second reading of the Ordinance

is required prior to its passage. County Manager John Crumpton stated that if Commissions allow concealed carry of handguns, with a proper permit on County property, rules must be put in place that clearly notify the public that conceal carry by permit is allowed. It is further recommended that the carrying of all other weapons and/or guns, including open carry, be prohibited by Ordinance and posted as such. Also, there will be limitations to the locations where the public and employees can carry a properly permitted concealed handgun. The Courthouse, McSwain Center, General Services, and the Lee County Animal Shelter are locations that conceal carry will not be allowed. If approved, the Ordinance will not take effect until January 1, 2015. After discussion, Commissioner Smith moved to approve the *Resolution to Amend Section 2-31 of the Lee County Code of Ordinances Concerning Concealed Handguns on County Property*, a copy of which is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Knecht, Parks, Smith, and Womack
Nay: Dalrymple, Frazier, and Reives

The Chairman ruled the motion had been adopted by a 4 to 3 vote.

Ms. Rosalind Cross from Central Carolina Community College completed the required paperwork to appear before the Board and discuss the new Workforce Innovation and Opportunity Act and to highlight key changes to program operation for 2015. The Workforce Investment Act (WIA) was put into place in 1998 by Congress to provide training and employment opportunities to unemployed and underemployed adults and youth. The Act provides varying levels of programs and is governed by workforce boards like the Triangle South Workforce Development Board (TSWDB). This board provides oversight to the WIA adult, dislocated worker, youth programs, Incumbent Workforce Development Program, On-the-Job Training and employment opportunities. The board is made up of volunteers from private industry as well as public organizations such as vocational rehabilitation; community based organizations, economic development, the educational system and public employment agencies. Private sector members must represent a minimum of 51% of the membership and members are appointed by the county officials through an appointment process. Anyone interested should contact the local Employment Security Commission for information on the various programs. No action taken.

The Board considered a contract amendment with *The Wooten Company* for the 2011 Lee County Scattered Site Community Development Block Grant Housing Project. Community Development Manager Karen Kennedy stated the original contract for Professional Services with *The Wooten Company* was approved in September 2012 in the amount of \$48,800. At that time, there were no unforeseen circumstances perceived in completing the project with that amount. However, many issues have arisen with program clients and the project that has created additional work for staff. *The Wooten Company* is requesting a contract amendment in the amount of \$10,230. Grant project funds will cover the increased contract amount. After discussion, Commissioner Reives moved to approve a contract amendment with *The Wooten Company* in the amount of \$10,230 as presented, a copy of which is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board heard an update from Sanford-Lee County Partnership for Prosperity (SLCPP) CEO Rodger Sauls on activities within the new organization. Mr. Sauls stated the re-organization of Economic Development and the Chamber of Commerce was similar to building a small business due to

the various things that need to be handled such as name change, By-Laws, job descriptions, employee benefits package, financial procedures, confidentiality policy, conflict of interest policy, State and Federal Tax ID's, insurance, charitable solicitation license, and transforming the Committee of 100 into the SLCPP Foundation. Request for Proposals were issued to 10 firms and the interviewing process will begin later this month to hire a company/firm to handle branding and marketing for the new organization. This will involve marketing name, logo, letterhead, business cards, brochures, template for other materials, website development and developing contents for a retail marketing piece. Ongoing efforts to raise \$1,200,000 over five years to support marketing and recruitment efforts is still underway. To date, a total of \$800,000 has been received in pledges. Recruitment of new businesses is ongoing and visits are made on a regular basis to existing business for retention and expansion. No action was taken.

At this time the Board took a 10-minute recess. Upon returning from recess, with all members present, Chairman Parks called the regular meeting back to order.

The Board considered By-Laws and a Contract for the Sanford-Lee County Partnership for Prosperity for economic development services. The Partnership has asked that County Commissioners endorse the newly proposed By-Laws for the organization. County Manager John Crumpton stated under the old By-Laws of the Lee County Economic Development Corporation, the County was required to approve all changes to the By-Laws. With approval of the new By-Laws, this will be the last time the County acts on the By-Laws for the organization. In addition, since the County contracted with the Lee County Economic Development Corporation for Economic Development Services, a new contract will need to be put in place with the new organization. The County cannot pay dues to a Chamber of Commerce but can contract for specific services. The contract is required in order for the County to disburse funds to the Sanford-Lee County Partnership for Prosperity. After discussion, Commissioner Smith moved to approve *By-Laws for the Sanford-Lee County Partnership for Prosperity, Inc.*, and a *Contract for Economic Development Services*, copies of which are attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered a Resolution with the City of Sanford for transfer of the Colon Road Sewer Lift Station. County Manager John Crumpton stated that at the September 22, 2014 joint City-County Sub-Committee meeting members agreed to propose to their full Boards that a joint Resolution be approved between the City and County for product development at the Lee County Industrial Park. The Resolution will transfer ownership of the Colon Road Sewer Lift Station to the City (not to exceed \$800,000 from the City) for their use in continued development of the Lee County Industrial Park. It was stated the City proposes to develop the Industrial Park at approximately \$7 million to extend water lines, sewer lines and broadband connectivity. After discussion, Commissioner Reives moved to approve a *Resolution for a Joint Agreement Between the City of Sanford and Lee County Product Development Initiative – Lee County Industrial Park*, a copy of which is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered the Annual Support Agreement for License Agreement for MUNIS Software. IT Director Kyle Edwards asked the Board to approve the Annual Support Agreement with Tyler Technologies for the MUNIS Financial Management Software System and Tax System. The financial software system includes all necessary applications for the Finance Department to operate internal/external accounting, billing, and payroll procedures. The Tax software system includes all necessary applications for the Tax Department to operate accounts receivable, NC motor vehicle billing, tax billing, and accounting/general ledger/budget. After discussion, Commissioner Reives moved to approve the *Annual Support Agreement and License Agreement for MUNIS Software* with Tyler Technologies as presented, a copy of which is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack

Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered a Resolution approved by the Social Services Board for Unaccompanied Minor Undocumented Children. Social Services Director Brenda Potts stated that when a child, who is not accompanied by a parent or legal guardian is apprehended by immigration authorities, the child is transferred to the care and custody of the Office of Refugee Resettlement (ORR). Federal law requires that ORR feed, shelter, and provide medical care for unaccompanied children until it is able to release them to safe settings with sponsors (usually family members), while they await immigration proceedings. Data on-line indicates that from January through August 2014, 1,648 unaccompanied minor undocumented children were placed with their North Carolina relatives or sponsors. It is unknown at this time if any of those 1,648 children are in Lee County. This will likely not be known until the placement disrupts and the child requires extensive medical treatment or they get into the Juvenile Justice System or Protective Services. Ms. Potts further stated that in the event Lee County Social Services were to have to take a child into custody or given custody by the courts of one of these unaccompanied minor undocumented children, the County would be financially responsible for the physical, mental health and financial needs of the child. This would be "all county" funds with no reimbursement. The Lee County Social Services Board decided to take preventive action at their September meeting due to how the State and Federal assistance policies are written at time which are:

- these children would not be entitled to traditional social services,
- these children would not qualify for Federal Food & Nutrition benefits,
- these children would not qualify for reimbursable Foster Care Services (administrative for worker time nor boarding home placement),
- these children would not qualify for traditional Medicaid (only eligible for life threatening emergency services), and
- these children do not meet the current criteria for Refugee Assistance.

Surry County has adopted Resolutions on Resettling of Illegal Immigrants Including Unaccompanied Minors from Honduras, El Salvador, and Nicaragua. Ms. Potts asked Commissioners to endorse the Resolution adopted by the Lee County Board of Social Services at their September meeting, and to study and consider the Resolutions provided by Surry County for action at the October 20th meeting. Ms. Potts was asked to check with the local school system to see if any of these children have been enrolled in the school system. After discussion, Commissioner Smith moved to endorse the *Resolution adopted by the Lee County Social Services Board* at their September 16, 2014 meeting, a copy of which is attached to these Minutes, and by this reference made a part hereof, and defer action on the other Resolutions until the October 20th meeting. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered bids for the Lee County Jail holding cell renovation project. General Services Deputy Director Larry Bridges stated the Sheriff's Department had been approved for \$26,684 in the current budget to renovate the two holding cells in the Lee County Jail and address safety concerns of Jail staff. The following bids were received:

Seven Oaks Doors & Hardware, Inc. Oakboro, NC	\$17,219.31
WST Industries Sanford, NC	No Bid
Willo Products Company, Inc. Decatur, AL	\$26,723.00
Norment Security Group Garner, NC	\$31,060.00
Sweeper Metal Fabricators Drumright, OK	\$27,760.00
Bordeaux Construction Durham, NC	\$30,700.00
Federal Locking Service Charlotte, Tenn.	\$17,500.00

The project in question will consist of removing existing bar grating cell fronts on two adjacent holding cells including the bar grating doors and installing detention grade solid metal fronts with locks, vision lite kids and food pass-thru openings. After discussion, Commissioner Smith moved to approve the low bid from Seven Oaks Doors & Hardware, Inc., Oakboro, NC, in the amount of \$17,219.31 for the Jail holding cell renovation project. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered bids for the Lee County Courthouse Detective/Bailiff Office renovation project. General Services Deputy Director Larry Bridges stated the Lee County General Services Department was approved for \$27,500 in the current budget to renovate the office space in the basement of the Courthouse to make room for detective offices. These renovations were unable to be completed as part of the initial renovation work when the Emergency Operations Center was completed. Only two bids were received during the first round of bids so the project was re-advertised with two bids received during the rebid opening. For budget purposes vendors were asked to do a separate bid to add a Bailiff office on the second floor of the Courthouse lobby, at the top of the steps,

to accommodate Bailiff Staff and improve officer presence in the lobby area and courtyard. The following bids were received for said project:

Component Systems, Inc. Cleveland, OH	No Bid
Gregory Grier, Inc. Charlotte, NC	\$35,094.00
Precision Walls, Inc. Cary, NC	No Bid
PMC Commercial Interiors Greensboro, NC	\$54,160.00

After discussion, Commissioner Smith moved to approve the bid from Gregory Grier, Inc., Charlotte, NC, in the amount of \$35,094.00 for the Detective/Bailiff Office renovation project. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered bad debt write-offs for the Health Department for FY 2012-13. Health Director Terrell Jones asked the Board to approve bad debt write-off for the following programs:

Family Planning	\$8,478.39
Child Health	58.80
Maternal Health	<u>86.08</u>
	\$8,623.27

Mr. Jones stated this was a State requirement and the Health Department is contractually bound to make every effort to collect revenues owed or write off those debts if they become uncollectible. After discussion, Commissioner Reives moved to approve \$8,623.27 in bad debt write-off for the Lee County Health Department. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered new fees for new Health Department vaccines for FY 2014-15. Health Director Terrell Jones stated that to be in compliance with the Health Departments current agreement/contract with the NC Immunization Branch, health departments are required to provide both required and recommended vaccines to members of the community. For those community residents who do not qualify for the State supplied vaccines, the department has a private inventory of vaccines which are offered at a flat rate fee. The addition of adult vaccines for Hepatitis A, Twinrix (Hepatitis A/Hepatitis B combination), and Zostivax (Shingles) will ensure their effort in providing the vaccines recommended and requested by community residents as well as maintaining their current contract. Proposed fees for Hepatitis A, Twinrix was recommended at \$67.00; Hepatitis A/Hepatitis B

combination at \$90.00; and Zostivax (Shingles) at \$196.00. Commissioner Womack stated he had received a call from a local pharmacy that was upset with the lower rate the Health Department was going to offer for these shots. He further stated this was under-cutting businesses (pharmacies) and he could not vote for the recommendation presented by the Health Department. After discussion, Commissioner Womack moved to approve the above new immunizations and charge the retail rate at the median rate charged by five pharmacies in the county. Upon a vote, the results were as follows:

Aye: Dalrymple, Knecht, Parks, Reives, Smith, and Womack
Nay: Frazier

The Chairman ruled the motion had been adopted by a 6 to 1 vote.

The Board considered additional funding for the OT Sloan Park Feasibility Study. County Manager John Crumpton stated the City-County Joint Interlocal Committee met and heard a presentation from Brailsford and Dunleavy in reference to a market analysis and feasibility study for a multi-sport/event complex to be located at OT Sloan Park. The Board of Commissioners approved this joint study with the City of Sanford and the Sanford Area Soccer League (SASL) for \$35,000. The City and County originally committed \$15,000 each for the study and SASL committed \$5,000. It was noted during the presentation that additional funds will be needed to complete the study at approximately \$68,000, with a survey needed to determine public input. After discussion, Commissioner Reives moved for the County to allocate a total of \$30,000 for the OT Sloan Park Feasibility Study and award the contract to Brailsford and Dunleavy for said project. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered a Resolution Opposing Proposed Changes to Rule Defining "Waters of the U.S.". Said Resolution was approved by the Moore County Board of Commissioners and distributed to all counties asking that each board of commissioners consider approving a Resolution opposing changes that the U.S. Environmental Protection Agency (EPA) and U.S. Army Corps of Engineers have proposed to the rules. After discussion, Commissioner Dalrymple moved to approve a *Resolution Opposing Proposed Changes to Rule Defining "Waters of the U.S."*, a copy of which is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered Budget Amendment #10/06/14/04. Finance Director Lisa Minter presented said Budget Amendment for the following departments:

Senior Services – appropriate funds from the Home and Community Care Block Grant for FY 2015,
E-911 Funds – appropriate funds to cover this year's Windstream connectivity charges, and
Drug Seizure Funds – appropriate funds to purchase a full body scanner for the Jail with drug seizure funds.

Commissioner Dalrymple moved to approve *Budget Amendment # 10/06/14/04* as presented, a copy of which is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Finance Director Lisa Minter presented the *Monthly Financial Report* for August 2014. No action was taken.

County Manager John Crumpton presented the *County Manager's Report for October 6, 2014*, a copy of which is attached to these Minutes and by this reference made a part hereof. No action was taken.

County Manager John Crumpton presented a list of equipment previously used in the Restitution Program when it was housed at Family and Youth Services. This program has now been contracted out through the Juvenile Crime Prevention Council (JCPC) to *Project Challenge*. Mr. Crumpton stated Lee County General Services had reviewed the list and will be taking some of the equipment for use at their facility. After discussion, Commissioner Frazier moved to donate excess Restitution Program equipment, valued at \$1,050.00, to *Project Challenge*. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Smith moved to go into Closed Session to discuss matters relating to the location or expansion of a business in the area per N.C. General Statute §143-318.11(a) (4). Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously and the Board was in Closed Session.

Upon returning from Closed Session, with all members present, the regular meeting resumed.


With no further business to come before the Board, Commissioner Reives moved to adjourn the meeting. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned at 10 p.m.

ATTEST:


Gaynell M. Lee, Clerk to the Board


Charles T. Parks, Chairman
Lee County Board of Commissioners